



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

July 10, 2017

RECEIVED  
July 11 2017  
ARIZONA STATE HISTORIC  
PRESERVATION OFFICE

Ms. Kathryn Leonard  
State Historic Preservation Officer  
1100 West Washington Street  
Phoenix, Arizona 85007

**Subject: National Historic Preservation Act, Section 106 Consultation  
Copper Crossing Energy Center, Pinal County, Arizona**

Dear Ms. Leonard,

The U.S. Environmental Protection Agency, Region 9 (EPA) requests the concurrence of the Arizona State Historic Preservation Officer regarding Copper Crossing Energy Center (Copper Crossing). In accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, we initiated consultation with you regarding this project on March 16, 2017.

As discussed in the March 16, 2017 letter, the Salt River Project Agricultural Improvement and Power District (SRP) has submitted a preconstruction permit application to Pinal County Air Quality Control District (PCAQCD) to authorize the construction of Copper Crossing, a new peaking power plant. The Copper Crossing facility is considered a new major stationary source and requires a preconstruction permit under the Clean Air Act (CAA) Prevention of Significant Deterioration (PSD) program. PCAQCD is the PSD permit-issuing authority for most new and modified major stationary sources located in Pinal County, including Copper Crossing. While most portions of the PSD program are implemented by PCAQCD through a federally approved state program, certain portions of the PSD program are implemented pursuant to direct federal authority. In this case, the portion of the PSD permit for Copper Crossing related to greenhouse gases (GHGs) is being issued under a delegation of authority from EPA, and is therefore a federal action for purposes of Section 106 of the NHPA.

As a result, EPA is the lead federal agency regarding Section 106 consultation for Copper Crossing and its area of potential effects. A brief summary of our correspondence with you regarding this project is included below:

- March 16, 2017 – EPA initiates consultation with the Arizona SHPO. We provided information regarding the project, proposed area of potential effects (APE), and included results of a Class I cultural resource records search for the APE. The proposed APE for the cultural resources investigations consists the 545-acre project site, including a 3.5-mile buffer. We established a 31-mile radius from Copper Crossing to consider the indirect effects of project air emissions.

- April 3, 2017 – Arizona SHPO responds with comments. You provided certain comments and recommendations, including additional details on the Class I survey results, a Class III survey on a previously unsurveyed portion of the project area, an examination of a historical trash scatter identified in the Class I survey, and additional details regarding indirect effects of air impacts on historical properties.
- May 10, 2017 – EPA provides information responding to Arizona SHPO comments. We included additional reports prepared by the project applicant, including results of a Class III survey of a previously unsurveyed portion of the project area, as well as results of an examination of the historical trash scatter. SHPO concurred June 1, 2017 (email)

The above correspondence and associated reports and files are attached to this letter for ease of reference. Based on the information provided, EPA has determined that issuance of the PSD permit for the Copper Crossing Energy Center will have no effect upon historic properties. We request your concurrence in writing with this determination. Please inform us within 30 days if you concur with our proposed determination.

If you have any questions or need further information, please contact Eugene Chen at (415) 947-4304. Thank you for your assistance and consideration in this matter.

Sincerely,



Gerardo C. Rios  
Chief, Air Permits Office  
Air Division

Enclosures:

1. Letter from Gerardo Rios (EPA) to Kathryn Leonard (Arizona SHPO), initiating Section 106 consultation, March 16, 2017
2. *A Class I Cultural Resources Records Search for the Proposed Salt River Project Copper Crossing Energy Center, Florence, Pinal County, Arizona*; Technical Report No. 16-56; Salt River Project; December 22, 2016 (Revised February 9, 2017)
3. Letter from Mary-Ellen Walsh (Arizona SHPO) to Eugene Chen (EPA) providing comments and recommendations, April 3, 2017
4. Email from Eugene Chen (EPA) to Mary-Ellen Walsh (Arizona SHPO), providing updated information and additional reports, May 10, 2017
5. Survey Report Summary Forms, April 20, 2017
6. Letter summary of Class III survey results and historical trash scatter examination, Northland Research, April 20, 2017

cc: Kristin L Watt, Salt River Project (via email: Kristin.Watt@srpnet.com)  
Kale Walch, Pinal County AQCD (via email: kale.walch@pinalcountyyaz.gov)

**No Historic Properties Affected**

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**Arizona State Historic Preservation Office**  
**Arizona State Parks Board**